

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND LAUTH,

Plaintiff,

Case No. 18-cv-13912
Hon. Matthew F. Leitman

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER (1) GRANTING DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT (ECF #16) AND (2) DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT (ECF #12)**

In this action, Plaintiff Raymond Lauth challenges the denial of his application for disability insurance benefits. (See Compl., ECF No. 1.) Lauth and Defendant Commissioner of Social Security have now filed cross-motions for summary judgment. (See Motions, ECF Nos. 12, 16)

On October 31, 2019, the assigned Magistrate Judge issued a Report and Recommendation in which she recommended that the Court grant the Commissioner's motion and deny Lauth's motion (the "R&R"). (See R&R, ECF No. 17.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted to seek review of her recommendation, they needed to file specific objections with the Court within fourteen days. (See *id.*, PageID.1189-1190.)

Lauth has not filed any objections to the R&R. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). In addition, the failure to file objections to an R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, because Lauth has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommendation to grant the Commissioner's Motion for Summary Judgment and deny Lauth's Motion for Summary Judgment is **ADOPTED**.

IT IS FURTHER ORDERED that (1) the Commissioner's Motion for Summary Judgment (ECF No. 16) is **GRANTED** and (2) Lauth's Motion for Summary Judgment (ECF No. 12) is **DENIED**.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: December 9, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 9, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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